

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**        )  
  )  
  )  
**Plaintiff,**                          )  
  )  
v.                                        )     **Case No. CR-02-003-F**  
  )  
  )  
**MARK D. RICE,**                      )  
  )  
**Defendant.**                        )

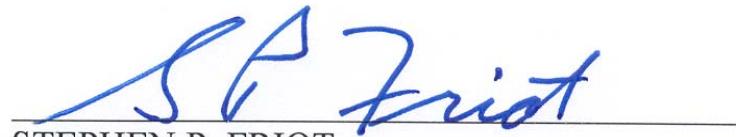
**ORDER**  
*(Re: Docket Number 176)*

Before the court is the Third Motion of counsel for defendant requesting an extension of the July 7, 2005 deadline for transporting Mr. Mark Rice to a suitable facility for purposes of conducting an mental health evaluation. The motion is said to be opposed by the United States, but the United States has not responded to the motion. The motion is based on the pendency of a criminal prosecution of Mr. Rice in Oklahoma County District Court.

The Court finds the Third Motion should be and is hereby granted. Transportation of the defendant for purposes of conducting the evaluations ordered by this Court October 13, 2004 (Doc. 169) is extended. Mr. Rice shall not be transported until October 5, 2005, except on further order of the Court. In that regard, counsel for defendant is directed to advise the Court if the Oklahoma County District Court proceedings are concluded prior to October 5, 2005.

Further extension is not likely in the absence of a compelling showing – a showing based on reasons significantly more compelling than the reasons that have been sufficient for the granting of the previous extensions.

It is so ordered this 18<sup>th</sup> day of July, 2005.



---

STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

02-0003p039 (pub).wpd